

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Ernest Guardado,

4 Plaintiff

5 v.

6 State of Nevada *ex rel.*, et al.

7 Defendants
8

Case No.: 2:17-cv-01072-JAD-VCF

**Order Adopting Report & Recommendation
and Granting Motion to Strike Defendant
Guice's Joinder to Answer**

[ECF Nos. 66, 71]

9 Pro se prisoner Ernest Guardado brings this civil-rights action to redress events that he
10 claims occurred during his incarceration at Nevada's High Desert State Prison.¹ The Clerk of
11 Court entered default against Defendant Morris Guice on March 21, 2019,² yet a month later,
12 Guice joined³ in Defendant Antonio Bryant's answer to the complaint.⁴ Guardado moves to
13 strike that joinder because Guice has been defaulted and has not had that default set aside.⁵
14 Guice filed no opposition, and the Magistrate Judge recommends that I grant the motion to
15 strike.⁶ "[N]o review is required of a magistrate judge's report and recommendation unless
16 objections are filed."⁷

17 IT IS THEREFORE ORDERED that the magistrate judge's report and recommendation
18 [ECF No. 71] is **ADOPTED** in full;

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21 ¹ ECF No. 6.

22 ² ECF No. 44.

23 ³ ECF No. 62.

24 ⁴ ECF No. 20.

25 ⁵ ECF No. 66.

26 ⁶ ECF No. 71.

27 ⁷ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474
28 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 IT IS FURTHER ORDERED THAT the motion to strike [ECF No. 66] is **GRANTED**.
2 **The Clerk of Court is directed to STRIKE [ECF No. 62]** Defendant Guice's joinder in the
3 answer.

4 Dated: June 24, 2019

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7 U.S. District Judge Jennifer A. Dorsey
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